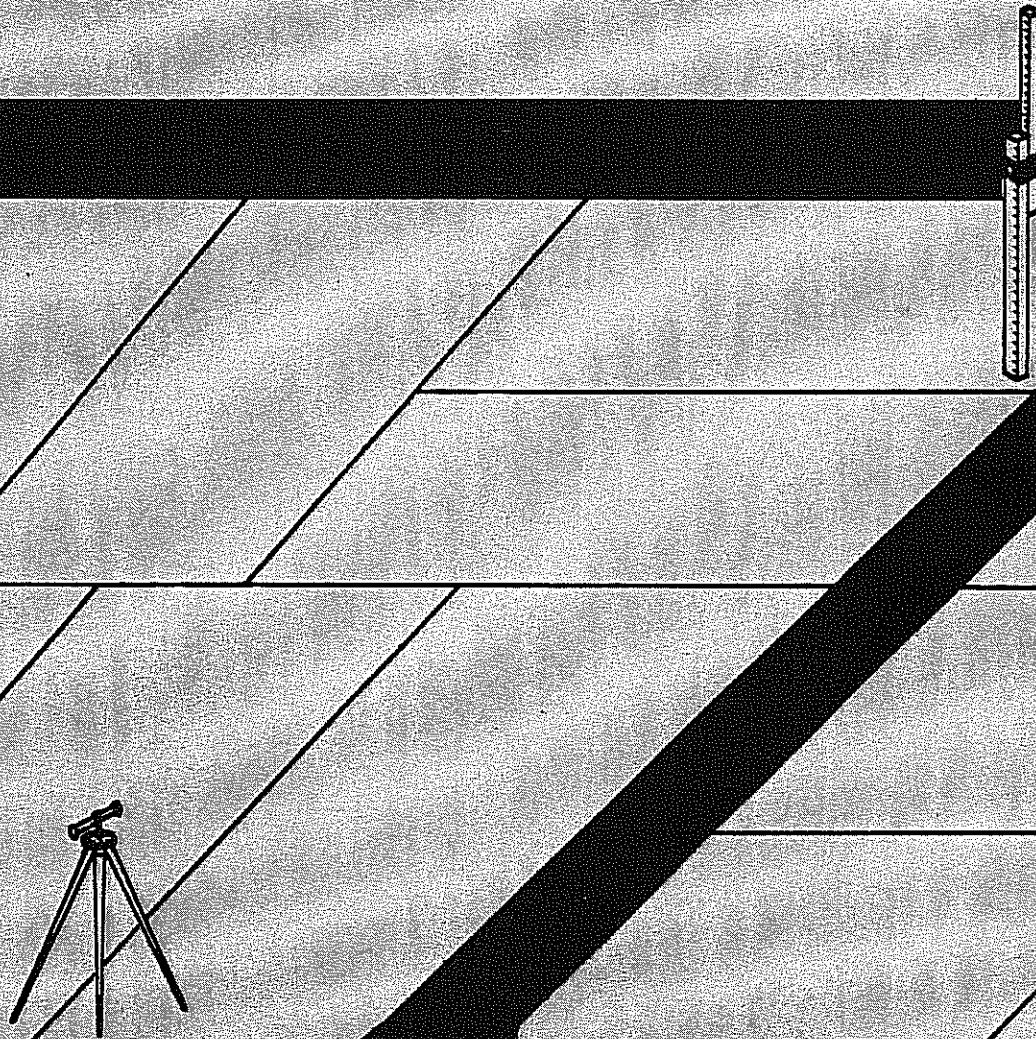


SUBDIVISION REGULATIONS



JONES COUNTY, NC

JONES COUNTY, NORTH CAROLINA

SUBDIVISION REGULATIONS

ORDINANCE ADOPTED

May 21, 2001

Effective July 1, 2001

Technical Assistance Provided By

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PREFACE**

A WORD TO THE DEVELOPER

Any property owner, real estate agent, or builder who anticipates subdividing land in Jones County shall become familiar with these regulations. They have been designed and drawn up to achieve equal, impartial treatment for all, and to provide clean-cut procedures for the preparation, submission and the approval of subdivision plans. The Planning Board encourages any and all developers to retain a qualified technician such as a land planner, landscape architect, engineer, surveyor, etc., to prepare the plan. This recommendation is made by the Board because it is important that a person subdividing land possess the necessary skill and imagination to produce the best design under given conditions.

TO AVOID DELAYS

1. Read thoroughly the material found in this Ordinance.
2. **CONSULT** the Jones County Subdivision Administrator before proceeding with subdivision plans concerning land use of property and unanswered questions.
3. Make sure that the design of the subdivision meets the minimum standards of this Ordinance.
4. Submit all items as required when presenting a preliminary or final plat to the Planning Board for approval.
5. Submit plan no later than the prescribed date if consideration of the plat is expected at the next regularly scheduled meeting of the Planning Board.

****Source:** Hertford County Subdivision Ordinance, Hertford County, N.C.

ARTICLE I
INTRODUCTORY PROVISIONS

Section 101 - Effective Date

This Ordinance shall take effect and shall be in force from and after July 1, 2001.

Section 102 - Title

This ordinance shall be known and may be cited as the Jones County Subdivision Regulations, and may be referred to as the Subdivision Regulations.

Section 103 - Authority

This Ordinance is adopted under the authority of Chapter 153A-330 through 335A and Session Law 1999-125, House Bill 437, of the General Statutes of North Carolina.

Section 104 - Purpose

The purpose of this Ordinance is to support and guide the proper subdivision of land within the jurisdiction of Jones County in order to promote the public health, safety and general welfare of the citizens of Jones County. The Ordinance is designed to promote the orderly development of the County of Jones; the coordination of streets and highways within proposed subdivisions with existing or planned streets and highways with other public facilities; the dedication or reservation of right-of-way or easements for street and utility purposes; and the distribution of population and traffic, in a manner that will avoid congestion and overcrowding and which will create conditions essential to public health, safety and general welfare. This Ordinance is designed to facilitate adequate provision of water, sewage, parks, schools and playgrounds, and to facilitate the further resubdivision of large tracts into smaller parcels of land.

Section 105 - Jurisdiction

On and after the effective date of this Ordinance, these regulations shall govern subdivisions of land within the territorial jurisdiction of Jones County except those lands lying within the subdivision jurisdiction of any municipality.

This ordinance may also regulate subdivision activity within the jurisdiction of any municipality whose governing body agrees, by resolution, to such applicability. Unless otherwise specified in the resolution, the withdrawing party must provide written notice to Jones County two (2) years in advance of the withdrawal, as provided by N.C.G.S. 160A-360(g).

Section 106 - Definition of Subdivision

A subdivision shall include all divisions of a tract or parcel of land into five (5) or more lots, building sites, or other divisions for the purpose of sale or building development, whether immediate or future, and

shall include all division of land involving the dedication of a new street or change in existing streets, however, the following is not included within this definition and is not subject to the regulations prescribed by this ordinance:

- A. The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the county as required in this ordinance;
- B. The division of land into parcels greater than five (5) acres if no street right-of-way dedication is involved;
- C. The public acquisition by purchase of strips of land for widening or opening streets;
- D. The division of a tract in single ownership, the entire area of which is no greater than two (2) acres into not more than three (3) lots, if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards contained in this ordinance.

Section 107 - Severability

Should any section or provision of this Ordinance be decided by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 108 - Amendments

The County Board of Commissioners may from time-to-time amend the terms of this Ordinance but no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Planning Board for review and recommendation. The Planning Board shall have thirty (30) days from the time the proposed amendment is submitted to it within which to submit its report. If the Planning Board fails to submit a report within the specified time, it shall be deemed to have recommended approval of the amendment.

No amendment shall be adopted by the governing body until they have held a public hearing on the amendment. Notice of the hearing shall be published in a newspaper of general circulation in the Jones County area at least once a week for two (2) successive calendar weeks prior to the hearing. The initial notice shall appear not more than twenty-five (25) nor less than ten (10) days prior to the hearing date. In computing the ten (10) and twenty-five (25) day periods, the date of publication is not to be counted, but the date of the hearing is.

ARTICLE II
OPERATION OF SUBDIVISION REGULATIONS

Section 201 - Plat Submission, Approval and Recordation

After the effective date of this Ordinance, a final plat shall be prepared, approved and recorded as provided in this Ordinance whenever any subdivision of land takes place in Jones County.

Section 202 - Prerequisite to Plat Recordation

The Register of Deeds shall not file or record a plat of a subdivision of land within the territorial jurisdiction of Jones County that has not been approved in accordance with these regulations, nor shall the Clerk of Superior Court order or direct the recording of a plat if the recording would be in conflict with this section. The Jones County Review Officer shall be included in the review process.

Section 203 - Prerequisite to Issuance of Permits

No street shall be recommended for acceptance for maintenance by the State nor shall any building permit be issued for the construction of any building or other improvement requiring a permit, upon any land concerning which a plat is required to be approved, unless and until the requirements set forth in this Ordinance have been met.

Section 204 - Compliance With Land Use Regulations

Proposed subdivisions must comply in all respects with the requirements of any officially adopted land use regulations.

Section 205 - Conflicts of Regulations

It is not intended that this Ordinance repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations, or permits previously adopted or issued pursuant to law. Wherever the provisions of any other law, ordinance or regulation impose higher standards than are required by the provisions of this Ordinance, the provisions of such law, ordinance or regulation shall govern. However, where this Ordinance imposes greater restrictions, the provisions of this Ordinance shall govern.

Section 206 - School Sites on Land Use Plan

If the Board of Commissioners and Board of Education have jointly determined the specific location and size of any school sites to be reserved and this information appears in the comprehensive land use plan, the Planning Board shall immediately notify the Board of Education when a sketch plan or plat is submitted which includes all or part of a school site to be reserved. The Board of Education shall promptly decide whether it still wishes the site to be reserved. If the Board of Education does not wish to reserve the site, it shall so notify the Planning Board. If the Board does wish to reserve the site, the subdivision shall not be approved without such reservation. The Board of Education must act to obtain the site within 18 months, as required by G.S. 153A-331, or the subdivider may treat the land as freed of the reservation.

Section 207 - Effect of Plat Approval on Dedications

Pursuant to G.S. 153A-333, the approval of a plat does not constitute or effect the acceptance by the N.C. Department of Transportation or the public of the dedication of any street or other ground, public utility line, or other public facility shown on the plat and shall not be construed to do so. If a public dedication of any street or other grounds, public utility line, or other public facility is required the subdivider must include a statement identifying the party responsible for maintaining the required streets, grounds, utilities or facilities until such time as the dedication is accepted by the appropriate public entity.

Section 208 - Penalties for Violation

208.1 - Criminal Penalty

After the effective date of this Ordinance, any person who, being the owner or agent of the owner of any land located within the territorial jurisdiction of this Ordinance, thereafter subdivides his land in violation of this Ordinance or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under the terms of this Ordinance and recorded in the Office of the Jones County Register of Deeds, shall be guilty of a misdemeanor and shall be subject, upon conviction, to fine and/or imprisonment as provided by North Carolina General Statutes 14-4. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty.

208.2 - Civil Penalty

The violation of any provision of this Ordinance shall subject the offender to a civil penalty in the amount of one hundred dollars (\$100.00) per day to be recovered by the County. Violators shall be issued a written citation which must be paid within ten (10) days.

208.3 - Equitable Remedies

Notwithstanding any other provision of this section, this Ordinance may be enforced by appropriate equitable remedies issuing from a court of competent jurisdiction. The County through its attorney or other official designated by the Jones County Board of Commissioners may enjoin illegal subdivision, transfer or sale of land by action for injunction and order of abatement.

208.4 - All Remedies Available

Nothing in this section shall be construed to limit the use of remedies available to the County. The County may seek to enforce this Ordinance by using any one, all or a combination of remedies.

208.5 - Continuing Violations

Each day's continuing violation of this Ordinance shall be considered a separate and distinct offense.

Section 209 - Variances

The Board of Commissioners may, upon recommendation from the Planning Board, authorize a variance from these regulations when, in its opinion, undue hardship may result from strict compliance.

In order to conclude that undue hardship may result, the Planning Board (in its recommendation) and the Board of Commissioners (in its decision) shall reach the following conclusions and shall record findings of fact supporting these conclusions:

A) That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land.

B) That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

C) That the circumstances giving rise to the need for the variance are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this Ordinance.

D) That the granting of the variance will not be detrimental to the public health, safety, and welfare or injurious to other property in the territory in which said property is situated.

Section 210 - Subdivision Administrator

The holder of the office of County Manager is hereby appointed to serve as Subdivision Administrator.

ARTICLE III

PROCEDURES FOR REVIEW AND APPROVAL OF SUBDIVISION PLATS

Section 301 - Approval of Subdivision Plat Generally

To secure approval of a plat of a subdivision as required in Section 201, the subdivider shall follow the procedures set out in this Article. The Subdivision Administrator shall make the initial determination as to whether a division of land constitutes a "subdivision" as defined in this section.

Section 302 - Sketch Design Plan Requirements

302.1 - Sketch Plan Required

If the land to be subdivided contains more than ten (10) acres, the subdivider shall submit a sketch plan prior to submitting a preliminary plan. Smaller subdivisions may be submitted in sketch plan form if the subdivider wishes. If the subdivider wishes to submit a Sketch Plan, it must be submitted to the Subdivision Administrator. The subdivider, or his representative, should explain the plan, answer questions and advise the Subdivision Administrator how the sketch relates to the subdivision regulations. Sketch plans shall conform to the following requirements when submitted to the Subdivision Administrator.

302.2 - Sketch Design Plan Requirements

The Sketch Design Plan shall depict or contain the following information:

- A)** Subdivision Data Block, including:
 - 1) Acreage in tract
 - 2) Acreage to be subdivided
 - 3) Number of lots proposed
 - 4) Scale of map and North Arrow
- B)** Existing conditions:
 - 1) Boundaries of tract to be subdivided.
 - 2) Existing use of land on tract to be subdivided and adjoining land
 - 3) Names of adjoining property owners and subdivisions
 - 4) Natural features affecting the site
 - 5) Aerial photographs of the site

C) Proposed conditions:

- 1) Proposed use of property
- 2) Proposed lot layout and size of lots
- 3) A statement from the Jones County Health Department that a copy of the sketch plan has been submitted to them, if septic tanks or other onsite water or wastewater systems are used in this subdivision.

302.3 - Number of Copies and Graphics Media

Two (2) copies shall be submitted to Subdivision Administrator. No specific graphics media must be employed.

302.4 - Size of Plan and Scale

No specific size or scale requirements apply to sketch design plans.

302.5 - Certificates Required

No certificates must be provided in connection with the submission of sketch design plans.

302.6 - Administrative Fees

No administrative fees are charged in connection with the submission of sketch design plans.

302.7 - Sketch Design Plan Review Procedure

The Subdivision Administrator shall review the sketch design plan for general compliance with the requirements of this regulation. The Subdivision Administrator shall advise the subdivider or his authorized agent of the regulations pertaining to the proposed subdivision and the procedures to be followed in the preparation and submission of the preliminary and final plats. This review shall in no way be construed as constituting an official action of approval for recording of the subdivision by the Planning Board or Jones County Board of Commissioners as required by this regulation.

A copy shall be retained by the Subdivision Administrator, and the other copy shall be returned to the subdivider or his authorized agent.

Section 303 - Abbreviated Procedure for Minor Subdivisions

303.1 - In General

In certain limited circumstances, the procedures required to file a final plat for minor subdivision of property may be abbreviated. This section sets out the conditions which must be met before the abbreviated procedure can be followed and describes the abbreviated procedure and plat requirements for Minor Subdivisions.

303.2 - Qualifying Minor Subdivisions

If the following conditions exist in regard to a proposed minor subdivision, the abbreviated procedure may be used:

- (1) No new public or private streets are involved;
- (2) No other new rights-of-way or easements are required;
- (3) No utilities extensions (except tap-on) are required;
- (4) All resulting lots front on a state-maintained road; and
- (5) Six (6) or fewer lots result after the subdivision.

303.3 - Limitation on Re-Use of Procedure

The abbreviated procedure may not be used a second time within five (5) years on that same tract, regardless of the owners, or on any property within fifteen hundred feet (1,500') from the original property boundaries by anyone who owned, had an option on or any legal or equitable interest in, the original subdivision at the time the subdivision received sketch plan or final plan approval.

303.4 - Minor Sketch Plan Required

Where the above conditions are met and the subdivider wishes to make use of the abbreviated procedure, the subdivider shall submit a minor sketch plan of the subdivision meeting those specifications as set out in Section 302 to the Subdivision Administrator. Review comments from the Jones County Health Department must accompany the minor sketch plan at submittal.

303.5 - Minor Sketch Design Plan Requirements

The Minor Sketch Design Plan shall depict or contain the following information:

- A) Subdivision Data Block, including:
 - 1) Name of Subdivision
 - 2) Name of Subdivider (and owners, if different)
 - 3) Acreage in tract
 - 4) Acreage to be subdivided
 - 5) Number of lots proposed
 - 6) Scale of map and North Arrow

B) Existing conditions:

- 1) Boundaries of tract to be subdivided, showing accurate distances and bearings
- 2) Sketch vicinity map showing relationship to surrounding areas in general, and as relates to the following:
 - Adopted Thoroughfare Plan
 - 100-Year Flood Plain Contour
- 3) Existing street and right-of-way layout
- 4) Existing buildings or other structures, railroads, bridges, culverts or storm drains on tract to be subdivided, and on adjoining land if that condition might affect proposed subdivision
- 5) Location and dimensions of existing utility, drainage and other easements and locations of utilities in place
- 6) Existing use of land on tract to be subdivided and adjoining land
- 7) Names of adjoining property owners and subdivisions
- 8) Natural features affecting the site, including but not limited to bodies of water, swamps, streambeds wooded areas, and wetlands

C) Proposed conditions:

- 1) Proposed use of property
- 2) Location and boundaries of areas for use of subdivision residents or general public, such as open space, recreation areas, schools or churches
- 3) Proposed lot layout and size of lots
- 4) Proposed street right-of-way widths, streets to be improved and degree and size of improvement planned, and connections to existing streets on tract and on adjoining property
- 5) Proposed location of utilities improvements
- 6) Any proposed variations from subdivision regulations
- 7) A statement from the Jones County Health Department that a copy of the sketch plan has been submitted to them, if septic tanks or other onsite water or wastewater systems are to be used in the subdivision.

303.6 - Number of Copies and Graphics Media

Two (2) copies shall be submitted to Subdivision Administrator.

303.7 - Size of Plan and Scale

The size and scale requirements shall be the same as shown in Section 304.2(A),(B),(C), and (D).

303.8 - Certificates Required

The certificates required shall be the same as those required in the final plat for minor subdivisions shown in Section 303.10.

303.9 - Review of Minor Sketch Plan

The Subdivision Administrator shall review the minor sketch plan and shall advise the subdivider of those requirements to be met prior to final plat approval. This review shall in no way be construed as constituting an official action of approval for recording of the subdivision plat in the office of the Register of Deeds.

The Subdivision Administrator shall recommend approval, approval conditioned upon modifications to bring the plat into compliance, or disapproval of the minor sketch plan within thirty (30) days of the receipt of the minor sketch plan by the Subdivision Administrator.

303.10 - Final Plat Required

Prior to any conveyance of property and the issuance of any building permit, the subdivider of a tract eligible for the abbreviated procedure shall submit to the Subdivision Administrator and have approved a final plat. The final plat shall meet the requirements set out in Section 306 for the contents of a final plat, where applicable. The following Certificates shall be placed on the final plat in lieu of those required in Section 305.6 for Final Plats.

The final plat shall be reviewed by the Planning Board. The Planning Board may approve, approve conditioned on modifications to bring the plat into compliance, or disapprove the final plat within thirty (30) days of the receipt of the final plat by the Subdivision Administrator.

A) Certificate of Subdivider

I (We) hereby certify that I am (we are) the owner(s) of the property shown and described hereon which was conveyed to me (us) by deed recorded in Book ___, Page ___, and that I (we) hereby adopt this plan of subdivision with my (our) free consent.

I (We) further certify that the land as shown hereon is within the subdivision regulations jurisdiction of Jones County.

Date: _____, 20____. _____ Owner

B) Certificate of Accuracy

I _____, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book _____, page _____, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book _____, page _____; that the ratio of precision as calculated is 1: _____; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this _____ day of _____, A.D., 20 ____.

Seal or Stamp

Surveyor

Registration Number

Certificate of the Notary:

North Carolina _____ County.

I, a Notary Public of the County and State aforesaid, certify that _____, a registered land surveyor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this _____ day of _____, 20 ____.

Seal or Stamp

Notary Public

My Commission expires _____.

C) Certificate of Approval

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for Jones County, with the exception of such variances, if any, as noted in the minutes of the Jones County Planning Board meeting held this date, and that it has been approved for recording the office of the Register of Deeds.

Date: _____ 20____ _____
Chairman, Jones County Planning Board

Attest: _____
Clerk

303.11 - Fee

A fee of fifty dollars (\$50) shall be paid at the time of submission of the final plat.

303.12 - Other Requirements Must Be Met

Where a minor subdivision qualifies for the abbreviated procedure, nonetheless all design requirements set out in Article IV, and all other general requirements of this ordinance must be complied with unless specifically set out otherwise in this Section.

Section 304 - Preliminary Plat Review

304.1 - General

Before approval for recordation of any subdivision plat may be given, the subdivider shall submit twelve (12) copies of the preliminary plat and any supplementary material to the Subdivision Administrator at least twenty (20) days prior to the regularly scheduled Planning Board meeting at which the subdivider wishes the plat to be considered by the Planning Board. Upon submission of the preliminary plat for processing by the Planning Board, the subdivider shall pay a processing fee of fifty dollars (\$50.00) or five dollars (\$5.00) per lot, whichever is greater, to the Subdivision Administrator.

The Subdivision Administrator shall review the preliminary plat for completeness and for compliance with this ordinance, and shall then transmit the preliminary plat to the Planning Board with his or her recommendations.

304.2 - Preliminary Plat Requirements

The intent of this ordinance in requiring a preliminary plat is to allow the subdivider to obtain approval of his or her subdivision plans prior to making any expenditures for actual improvements on the land. In order to obtain this approval, the subdivider must submit a professionally prepared plat with every detail of the proposed development included, so that boards can be fully informed as to the plans for development and so that their approval, consequently, is not subject to change. To that end, the preliminary plat shall, at a minimum, meet the following requirements:

- A) The preliminary plat shall be at a scale of two hundred feet to one inch or larger, and shall be drawn on an appropriate medium, of appropriate size. It is recommended that the preliminary plat comply with final plat size and media requirements. The Jones County Register of Deeds requires a map size of 18" x 24" on mylar. The surveyor should leave a space of 4 1/2" x 2 1/2" for the Register of Deeds stamp.
- B) The preliminary plat shall be prepared by a registered surveyor, and shall comply with standards of practice.
- C) The preliminary plat shall meet the requirements set out in Subsection 306.
- D) The preliminary plat shall be accompanied by any other supplemental certificates, comments or other material required in this Article or in Article IV of this Ordinance.
- E) The submitted preliminary plat shall be clearly labeled: **"Preliminary Plat - Not for Recordation, Conveyances, or Sale."**

304.3 - Review by Other Agencies

Upon submission of the preliminary plat to the Subdivision Administrator, the Subdivision Administrator shall submit copies of the preliminary plat and any accompanying material to other officials and agencies concerned with new development including but not limited to those listed below. Comments from these reviewing agencies must be made available to the Planning Board by the subdivider before a preliminary plat may be approved, unless this requirement is specifically waived by the Planning Board.

A) The District Highway Engineer, as to:

- 1) Sufficiency of proposed construction and alignment of streets, highways, and drainage systems, so that all streets dedicated to the public may be eligible for acceptance onto the State Highway System.
- 2) Driveway approval, where any street is proposed to intersect with a state-maintained road.

B) The Environmental Health Specialist with the Jones County Health Department as to proposed water and sewer systems or satisfactory site evaluation results to allow septic tank use;

C) The County School Superintendent as to proposed school sites;

D) The County Soil Conservation Service, for comments on soil suitability; and

E) Such other agencies and officials as the County Planning Board and/or County Board of Commissioners may deem necessary or desirable. These may include:

-The Department of Cultural Resources, Division of Archives and History, where archeological sites or historic sites may exist in the subdivision.

-The Department of Crime Control and Public Safety, Division of Emergency Management, as to floodplain elevations and setbacks.

-The Division of Water Quality, Groundwater Section, where underground storage tanks holding petroleum or hazardous chemicals may be installed or removed.

-The Division of Water Quality, as needed, for Neuse River Buffer Rules, or other water quality issues.

304.4 - Environmental Impact Statement

An environmental impact statement, as provided for in Chapter 113A-8 through 113A-10 of the North Carolina General Statutes, shall be necessary only when required by a state or federal agency or agencies.

304.5 - Certificates to be Applied to Face of Preliminary Plat

A) The Jones County Planning Board hereby approves (disapproves) this preliminary subdivision plat. This action shall in no way be construed as constituting approval for recording.

Date Chairman, Jones County Planning Board

B) Certificate of Accuracy - I,, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book _____, page _____, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book _____, page _____; that the ratio of precision as calculated is 1: _____; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this _____ day of _____, A.D., 20 _____.

Seal or Stamp

Surveyor

Registration Number

Certificate of the Notary:

North Carolina, _____ County

I, a Notary Public of the County and State aforesaid, certify that _____, a registered land surveyor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this _____ day of _____, 20 _____.

Seal or Stamp Notary Public
My Commission expires _____.

C) The surveyor must include a certificate on the plat as follows:

I, _____, Registered Land Surveyor, certify to one or more of the following:

1. That the survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land;
2. That the survey is located in such portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land;

3. That the survey is of an existing parcel of land;
4. That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision;
5. That the information available to the surveyor is such that the surveyor is unable to make a determination to the best of his or her professional ability as to provisions contained in (1) through (5) above.

Registered Land Surveyor

Registration Number

D) If the plat contains the certificate of a surveyor as stated in 1, 4, or 5 above, the plat shall have, in addition to said surveyor's certificate, a certification of approval, or no approval required, as required by the Jones County Subdivision Administrator in the following format, before the plat is presented for recordation. If the plat contains the certificate of a surveyor as stated in 2 or 3 above, nothing shall prevent the recordation of the plat if all other provisions have been met.

I, _____, Jones County Subdivision Administrator, certify that pursuant to the surveyor's certification, (approval)_____, or (no approval)_____ is required by the Jones County Subdivision Administrator.

Jones County Subdivision Administrator

Date

304.6 - Planning Board Review

The Planning Board shall review the preliminary plat for compliance with the ordinance within forty-five (45) days of receipt by the Subdivision Administrator.

A) Approval - If the Planning Board approves the preliminary plat, such approval shall be certified on the plat as provided in Section 304.5(A). The subdivider shall receive the original signed plat and one (1) copy. The Planning Board shall retain one (1) copy for its records.

B) Disapproval - If the Planning Board disapproves the preliminary plat, the reasons for such disapproval shall be stated in writing, specifying the provisions of this Ordinance with which the preliminary plat does not comply. One (1) copy of the written reasons for disapproval and two (2) copies of the plat shall be returned to subdivider. One (1) copy of the plat and written reasons shall be kept by the Planning Board for its records.

Upon disapproval of a preliminary plat, the Planning Board may allow resubmission of the final plat upon correction of errors resulting in the initial disapproval. In that event, the Planning Board may require that the plat be treated as if it were an initial submission or it may allow deletion of some steps in the preliminary plat review process. The Planning Board's determination of the proper procedure for each resubmission shall be made at the time of disapproval.

304.7 Construction Procedures

No construction or installation of improvements shall commence in a proposed subdivision until the preliminary plat has been approved, and all plans and specifications have been approved by the appropriate authorities.

Section 305 - Final Plat Review

305.1 - General

Upon completion of the installation of the improvements shown in the approved preliminary plat, the applicant may submit a final plat for approval. If a final plat of a subdivision is not submitted within 12 months of the date of the preliminary plat approval, the preliminary plat approval shall become null and void. However, the Board of Commissioners may grant in writing an extension of that time limit for all or any part of the subdivision if requested to do so prior to the expiration of the 12-month period.

305.2 - Certification of Improvements

If improvements have been installed at the time of submittal of a final plat, the subdivider's engineer may, as part of the final plat submittal, furnish a certified "as-built" plan. This certification shall insure that the subdivision improvements have been completed in accordance with the approved preliminary plat. The as-built plan shall be filed with the Subdivision Administrator.

305.3 - Submission Procedure

On application for final plat processing, the subdivider shall pay a fee of a minimum of fifty dollars (\$50.00), or five dollars (\$5.00) per lot in the subdivision, whichever is greater, to the Subdivision Administrator. The subdivider shall submit twelve (12) copies of the final plat to the Subdivision Administrator, who shall review the plat for compliance with the preliminary plat. The Subdivision Administrator shall then transmit the final plat to the Planning Board with his or her recommendations.

305.4 - Planning Board Review

The Planning Board shall review the final plat for compliance with the preliminary plat. The Planning Board may appoint an engineer or Registered Land Surveyor to check the final plat against the subdivision's actual layout for correctness, charging the costs to the subdivider if the plat is found to be in error. The Planning Board shall recommend approval, approval conditioned upon modifications to bring the plat into compliance, or disapproval of the final plat, within sixty (60) days of the receipt of the final plat by the Subdivision Administrator. If no recommendation is made by the Planning Board within sixty (60) days, the Subdivider may apply directly to the Board of Commissioners for approval.

A) Recommending Approval - If the Planning Board recommends approval of the final plat, it shall retain one (1) copy of the proposed plat and one (1) copy of its recommendation for recording in its minutes and it shall transmit all other copies of the

plat and its written recommendation to the Board of Commissioners through the Subdivision Administrator.

B) Recommending Approval With Conditions - If the Planning Board recommends approval of the final plat on the condition that modifications be made prior to the final plat approval, it shall retain one (1) copy of the plat for its minutes, return to the Subdivider one (1) copy of the plat and its written recommendation, and transmit all other copies of the plat and its recommendation to the Board of Commissioners through the Subdivision Administrator.

C) Recommending Disapproval - If the Planning Board recommends disapproval of the final plat, it shall return to the subdivider one (1) copy of the plat and its written reasons for disapproval and shall retain one (1) copy of each for its minutes. It shall also instruct the subdivider concerning resubmission of a revised plat. The subdivider may then make such changes as will bring the plat into compliance and resubmit the revised plat for reconsideration by the Planning Board, or the subdivider may appeal the decision to the Board of Commissioners. If the subdivider decides to resubmit the revised plat for reconsideration by the Planning Board, or the subdivider may appeal the decision to the Board of Commissioners. If the subdivider decides to resubmit the final plat with changes, that revised plat shall be treated as an original final plat submission. If the subdivider decides to appeal the decision to the Board of Commissioners, he or she shall request the hearing in writing and the Planning Board shall transmit the remaining copies of the plat and recommendation to the Board of Commissioners through the Subdivision Administrator.

305.5 Board of Commissioners Review

If the Planning Board recommends approval or approval conditioned on modifications, or if the subdivider appeals a recommendation of disapproval, the Board of Commissioners shall consider the application for final plat approval at its next regular meeting more than fourteen (14) days after the Planning Board's recommendation.

A) Approval - If the Board of Commissioners approves the final plat, such approval shall be certified on the plat as provided in Section 304.6E. The subdivider shall receive the original signed plat and one (1) copy. The Board of Commissioners shall retain one (1) copy for its records and one (1) copy shall be returned to the Planning Board for its records.

B) Disapproval - If the Board of Commissioners disapproves the final plat, the reasons for such disapproval shall be stated in writing, specifying the provisions of this Ordinance with which the final plat does not comply. One (1) copy of the written reasons for disapproval and two (2) copies of the plat shall be returned to the subdivider. One (1) copy of the plat and written reasons shall be kept by the Board of Commissioners for its records and one (1) copy of the plat and reasons shall be returned to the Planning Board for its records.

Upon disapproval of a final plat, the Board of Commissioners may allow resubmission of the final plat upon correction of errors resulting in the initial disapproval. In that event, the Board of Commissioners may allow resubmission of the final plat upon correction of

errors resulting in the initial disapproval. In that event, the Board of Commissioners may required that the plat be treated as if it were an initial submission or it may allow deletion of some steps in the final plat review process. The Board's determination of the proper procedure for each resubmission shall be made at the time of disapproval.

305.6 - Prerequisites for Certification for Recordation

No certification for recordation shall be entered on a final plat until such time as all requirements of this Ordinance have been met, including but not limited to the following:

- A) All improvements have been installed.
- B) All procedural requirements for final plat approval as provided in this Ordinance have been met.
- C) All comments or certifications from other agencies as requested by the Planning Board or Board of Commissioners have been provided.
- D) All fees have been paid.

305.7 - Certificates to be Applied to Face of Final Plat

The following certificates shall appear on the face of the final plat:

A) Certificate of Subdivider

I (We) hereby certify that I am (we are) the owner(s) of the property shown and described hereon which was conveyed to me (us) by deed recorded in Book ____ Page ____, and that I (we) hereby adopt this plan of subdivision with my (our) free consent. I (We) hereby dedicate all streets, alleys, walks, parks, solid waste sites, water lines, and other open spaces to public use unless otherwise noted and I (we) certify that all dedications are free and clear of any lien, lease, deed of trust or any other encumbrance.

I (We) further certify that the land as shown hereon is within the subdivision regulations jurisdiction of Jones County.

Date _____ 20____ _____
Owner(s)

B) Certificate of Accuracy

I hereby certify that under my direction and supervision this Plat, shown and described hereon, was drawn from an actual survey of land; that the Error of Closure is calculated by latitudes and departures and is 1: _____; that the boundaries not surveyed are shown as broken lines; that this Plat was prepared in accordance with G.S. 47-30 as amended.

Witness my hand and Seal this ____ day of _____ 20__.

Registered Land Surveyor
Seal or Stamp

Registration Number

Certificate of the Notary

North Carolina, _____ County

I, a Notary Public of the County and State aforesaid, certify that _____, a registered land surveyor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this ____ day of _____, 20__.

Seal or Stamp

Notary Public

My Commission expires _____.

C) Certificate of Review Officer

State of North Carolina

Jones County

I, _____, Review Officer of Jones County, Certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer

D) Certificate of Approval for Recording

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for Jones County, with the exception of such variances, if any, as are noted in the minutes of the Jones County Planning Board and/or Board of County Commissioners, and that it has been approved for recording in the office of the Register of Deeds.

Date

20

Chairman, Jones County Planning Board

Date

20

Chairman, Jones County Board of Commissioners

Attest:

Clerk

Date

20

E) Certificate of Register of Deeds

Filed for Registration at _____ o'clock ____ M _____ 20 ____

CAB _____ SLIDE _____ PG _____

Register of Deeds, Jones County

BY: _____

F) Certificate of Approval and Acceptance of Dedications

I, _____, The County Clerk and Treasurer of Jones County, do certify that Jones County approved this plat or map and accepted the dedication of the easements, rights-of-way and public park shown thereon. but assume no responsibility to open or maintain the same until, in the opinion of the governing body of Jones County, it is in the public interest to do so.

_____, 20____
County Clerk-Treasurer

G) Other Certificates

The Subdivider shall submit other required certificates such as the Certificate of Dedication and Maintenance set out in Subsection 402.3.

305.8 - Filing

The subdivider shall file the approved final plat with the Register of Deeds of Jones County within thirty (30) days of the approval and certification of the Board of Commissioners; otherwise, such approval shall be null and void.

Section 306 - Information to be Contained in or Depicted on Preliminary and Final Plats

The preliminary and final plats shall depict or contain the information indicated in a table entitled **Information Required on Preliminary/Final Plats, Attachment A**, at the end of this document. An x indicates that the information is required.

Section 307 - Recombination of Land

307.1 - Written Vacation of Plat

Any plat or any part of any plat recorded in the office of the Register of Deeds may be vacated by the owner at any time before the sale of any lot in the subdivision by a written instrument to which a copy of such plat shall be attached, declaring the same to be vacated.

307.2 - Approval Required

Such an instrument shall be approved by the Board of Commissioners, upon recommendation of the Planning Board. The Board of Commissioners may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets or alleys.

307.3 - Execution and Filing

Such an instrument shall be executed, acknowledged or approved and recorded and filed in the same manner as a final plat; and being duly recorded or filed shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, and public grounds, and all dedications laid out or described in such plat.

307.4 - Execution by All Owners

When lots have been sold, the plat may be vacated in the manner provided in Sections 307.1 through 307.3 by all owners of the lots in such plat joining in the execution of such writing.

Section 308 - Resubdivision Procedures

For any replatting or resubdivision of land, the same procedures, rules and regulations shall apply as prescribed herein for an original subdivision.

ARTICLE IV
IMPROVEMENTS REQUIRED AND
MINIMUM STANDARDS OF DESIGN

Section 401 - In General

Approval of the final plat is subject to the subdivider having installed the improvements required in this Ordinance. Each subdivision shall contain the improvements in this Article, unless otherwise approved by the majority of the County Board of Commissioners through the variance procedures in Article II or otherwise stated in this Ordinance.

401.1 - Suitability of Land

Land subject to periodic flooding, irregular drainage conditions, excessive erosion or topographical and other reasons unsuitable for residential use as determined by the appropriate board or agency, shall not be platted for commercial or residential use nor for any other use by a citizen that will continue or increase the danger to health, safety, or property unless the hazards can be and are corrected.

401.2 - Fill Areas

Areas that have been used for the disposal of solid waste or liquid waste shall not be subdivided into residential building sites. This shall include those areas that have been used for disposal of trash, demolition waste, chemical waste and other waste materials.

401.3 – Developer Responsible for Installation and Costs of Improvements

The developer shall be responsible for the installation and cost of all utilities and improvements.

Section 402 - Improvements Guarantees

402.1 - Agreement and Security Required

A Subdivision Improvement Agreement, the content and requirements of which having previously been approved by the Planning Board, shall be signed by the subdivider and filed with the Subdivision Administrator prior to the consideration of any plat. In addition, Jones County may enter into an agreement with the subdivider whereby the subdivider shall agree to complete all required improvements not yet installed at the time of final plat consideration by the Planning Board, provided that the subdivider submit the appropriate guarantees as listed below, and all other requirements of this ordinance are met. To secure this agreement, the subdivider shall provided, subject to the approval of the Planning Board, either one (1), or a combination of the following guarantees, not exceeding 1.25 times the entire cost of improvements as provided herein:

A) Cashiers Check(s)

The subdivider shall obtain a cashiers check(s) from a bank or other qualified financial

institution authorized to do business in North Carolina. The check(s) shall be payable to Jones County and shall be in an amount equal to 1.25 times the entire cost, as estimated by the subdivider and approved by the Planning Board, of installing all required improvements.

B) Irrevocable Letter of Credit

The subdivider shall obtain an irrevocable letter of credit from a bank or other qualified financial institution authorized to do business in North Carolina. The amount of authorized credit shall be equal to 1.25 times the cost, as estimated by the subdivider and approved by the Planning Board, of installing all required improvements. The wording and language of the irrevocable letter of credit shall be approved by the Planning Board. The duration of the letter of credit shall be until such time as the improvements are accepted by the Planning Board.

402.2 Default

Upon default, meaning failure on the part of the subdivider to complete the required improvements in a timely manner as spelled out in the Subdivision Improvement Agreement and/or by this ordinance, then the financial institution that issued the cashiers check and/or the irrevocable letter of credit shall, if requested by the Planning Board pay all or any portion of the amount needed to complete the improvements based on an engineering estimate. Upon payment, the Planning Board, in its discretion, may expend such portion of said funds as it deems necessary to complete all or any portion of the required improvements. The County shall return to the subdivider any funds not spent in completing the improvements.

402.3 Release of Guarantee Security

The Planning Board of Jones County may release a portion of any security posted as the improvements are completed and recommended for approval by the Subdivision Administrator. Within forty-five (45) days after receiving the Subdivision Administrator's recommendation, the Planning Board of Jones County shall approve or disapprove said improvements. If the Planning Board of Jones County approves said improvements, then it shall immediately release any security posted on that portion.

402.4 - Defects Guarantee

The Board of Commissioners shall require an irrevocable letter of credit or surety bond approved by the County Planning Board guaranteeing utility taps, drainage facilities, water and sewer lines, streets, curbs, gutters, sidewalks, and, seeding and grading of road shoulders against defects for one (1) year beginning from the date of approval of the final plat. This bond or letter of credit shall be in an amount determined by the Board of Commissioners. The guarantee required shall not exceed the amount of ten percent (10%) of the total cost of the above-mentioned improvements. Release of the letter of credit or surety bond shall occur at the end of the one-year period.

402.5 - Certificate of Dedication and Maintenance

The certificate of dedication and maintenance shall stipulate the following:

- A) That all property and improvements are owned by the subdivider and free of any encumbrance or lien except as enumerated;
- B) That the subdivider has freely dedicated or reserved all required right-of-way easements, streets, utilities, open spaces, or other improvements to public or private use as required by the approved preliminary plat and has established minimum building setback lines; and
- C) That the subdivider shall be responsible for the maintenance of all improvements until said improvements are taken over by the appropriate public agency or arrangements satisfactory to the Board of Commissioners have been made for maintenance of said improvements.

This certificate shall be submitted with the final plat and forwarded to the Register of Deeds to be recorded with the approved final plat.

Section 403 - Streets

403.1 - In General

All subdivision lots shall abut on a private or public street. A combination of public and private streets may be acceptable. All subdivision streets shall be built to the standards of this Ordinance and all other applicable standards of the county and the North Carolina Department of Transportation. Public streets which are eligible for acceptance into the State Highway System shall be constructed to the standards necessary to be put on the State Highway System or the standards in this Ordinance, whichever is stricter in regard to each particular item, and shall be put on such system. (See Subdivision Roads, Minimum Construction Standards, Division of Highways, North Carolina Department of Transportation, as amended.) Streets which are not eligible to be put on the State Highway System shall be in accordance with the standards in this Ordinance.

403.2 - Written Maintenance Agreement Required

Where a subdivision street shall not be accepted onto the State Highway System, a written maintenance agreement with provisions for maintenance of the street and a sample of related deed restrictions and covenants shall be submitted with the preliminary plat, if the subdivider chooses not to create a homeowners association for the purposes of street maintenance.

403.3 - Homeowners Association

When a homeowners association is established to provide for the maintenance of private subdivision streets, it shall be incorporated in accordance with N.C.G.S., Chapter 55. As required, appropriate by-laws shall be prepared, and proposed covenants or deed restrictions which address maintenance, apportionment of financial responsibility, and enforcement shall be provided. The County Attorney shall approve the adequacy of these materials prior to final plat

review. These materials shall be recorded at the same time as the final plat and shall be appropriately cross-referenced in the Jones County Register of Deeds Office.

403.4 - Subdivision Street Disclosure Statement

All streets shown on the preliminary and final plats shall be designated in accordance with G.S. 136-102.6 and designation as public on the final plat shall be conclusively presumed an offer of dedication to the public. Where streets are dedicated to the public but not accepted into a municipal or the State system, before lots are sold, a statement explaining the status of the street shall be included with the final plat.

403.5 - Intersections With State Roads

Connections of subdivision streets to state-maintained roads require a special permit from the District Engineer. That permit shall be obtained prior to and submitted with the preliminary plat to the Subdivision Administrator.

403.6 - Cul-de-sacs

Permanent dead end streets or cul-de-sacs shall be no longer than one thousand five hundred (1,500) feet and shall be provided at the closed end with a turn-around which meets the requirements of the Department of Transportation, Division of Highway Standards.

403.7 - Right-of-way Width

The right-of-way width shall be sixty (60) feet, except where N.C. Department of Transportation standards apply. A partial right-of-way width less than sixty (60) feet will not be accepted. The subdivider must secure the entire right-of-way width for dedication purposes.

403.8 - Pavement Width

If the street is to be paved, then the pavement width shall be eighteen (18) feet, except collector streets, which shall be twenty (20) feet.

403.9 - Unpaved Streets

If unpaved, the road shall be graded and stabilized according to accepted policies of N.C. Department of Transportation.

403.10 - Restrictive Covenants

Restrictive covenants, if in place, shall be recorded along with the deed of each lot fronting on a subdivision road. The covenants shall embody the restrictions in this Ordinance in reference to roads serving subdivisions. The restrictive covenants dealing with the road shall be approved by the Planning Board and the County Attorney and shall be a condition upon which approval of a final plat will be based.

403.11 - Contours

Proposed streets shall be adjusted to the contours of the land so as to produce streets having gradients which provide for safety, proper drainage, and usable lots.

403.12 - Intersection Angles

Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at an angle less than seventy-five (75) degrees.

- A) Intersection off-sets are not allowed. Intersections which cannot be aligned should be separated by a minimum of one hundred twenty-five (125) feet between centerlines for safety purposes.
- B) Minimum sight distances shall be determined by NCDOT standards.
- C) Horizontal, vertical, and reverse curves shall be designed by the subdivider according to standards of NCDOT and in the interest of public safety and general welfare. Factors to be considered, among others, shall be the type and importance of the street, sight distances, anticipated traffic volume and design speed.

403.13 - Street Names and Street Signs

Private street and road names for all subdivision plats shall be subject to approval of the E-911 Addressing Administrator. New private street and road names shall not duplicate or be similar to existing street names and existing street names shall be projected wherever possible.

It shall be the responsibility of the developer to install street signs at the intersection of streets within his development. All signs shall be in accordance with the specifications as provided in the Addressing and Road Naming Ordinance for Jones County, N.C.

403.14 - Access Roads

Where a tract of land to be subdivided adjoins a federal or state highway, the subdivider may be required to provide a marginal access street parallel to the highway or reverse frontage on an interior street for the lots to be developed adjacent to the highway. If reverse frontage is required, then the subdivider shall be required to create a ten (10) foot buffer strip parallel and adjacent to the right-of-way of the highway as a part of those lots whose rear yards are adjacent to the highway. The buffer strip shall be conveyed in the deeds to the affected lots and shall be restricted to the planting of trees or shrubs for screening purposes by the lot owners. This buffer strip shall be in addition to all other setbacks or easements required by this Ordinance.

Section 404 - Lots, Building Setbacks, Blocks and Buffer Strips

404.1 - Lots

Lot sizes, shapes and locations shall be made with due regard to topographic conditions, contemplated use, and the surrounding area. Land subject to flooding and land deemed by the Board of Commissioners to be uninhabitable for other reasons shall not be platted for residential

occupancy, nor for such other uses as may increase danger to health, life or property, or aggravate the flood hazard; but such land may be set aside for such uses as will not be endangered by periodic or occasional inundation, or will not produce unsatisfactory living conditions.

A) Every lot shall front or abut on a public or private street. Each lot must have a minimum road or street frontage of fifty feet (50') and a minimum width of one hundred feet (100') at the building set back line. Additional frontage or width may be required in the event that Jones County adopts a zoning ordinance.

B) Lot sizes in subdivisions shall comply with the requirements of the Jones County Health Department.

C) Corner lots for residential use shall have an extra width of 20 feet to permit adequate building setback from side streets.

D) Double frontage and reverse frontage lots shall be avoided, except where required to separate residential development from through traffic.

E) Side lot lines shall be substantially at right angles or radial to street lines.

F) Flag lots are permitted.

404.2 - Building Setback Lines

The minimum building setback from the property lines shall be as follows:

A) From the front property line 25 feet

B) From the side property line 12 feet

C) From the rear property line 25 feet

D) From the side property line
on corner lots 22 feet

E) From the front property line on
major thoroughfares 40 feet

Federal and State regulations concerning setbacks from water and in flood areas shall be strictly adhered to and shown on the sketch plan and preliminary and final plats.

404.3 - Blocks

A) Blocks shall be laid out with special attention given to the type of use contemplated.

B) Blocks shall have sufficient width to allow two (2) tiers of lots of minimum depth except where single-tier lots are required to separate residential development from through vehicular traffic or another type of use, or when abutting a water area.

C) Blocks shall not be less than five hundred feet (500') or more than fifteen hundred feet (1500').

D) Where deemed necessary by the Planning Board and the Board of Commissioners, a pedestrian crosswalk at least fifteen feet (15') in width may be required to provide convenient public access to a public areas such as a park or school, to a water area, or to areas such as shopping centers, religious, or transportation facilities.

E) Block numbers shall conform to the County road numbering system, if applicable.

404.4 - Buffer Strips

In residential districts a buffer strip at least twenty-five feet (25') in depth in addition to the normal lot size and depth required shall be provided adjacent to all railroads and controlled access highways, commercial and/or industrial developments, multi-family housing and mobile home parks, and any other land use that the Planning Board and Board of Commissioners deems necessary and where there may be potential conflict. This strip shall be a part of the platted lots, but shall have the following restrictions lettered on the face of the plat: **"This strip shall be reserved for the planting of trees or shrubs by the owner; the building of structures hereon is prohibited."**

404.5 – Riparian Area Buffer Rules, Neuse River Basin

Riparian Area Buffer Rule, NCACA15NC2B.0233 applies within the planning jurisdiction of Jones County. The Riparian Area Rule deems it illegal to remove existing "forest vegetation" in certain land directly adjacent to a stream or other waterbody in the Neuse River Basin. The developer, as applicable, must provide proof to the Jones County Planning Board, at the preliminary plat stage, that he/she has complied with the requirements of this rule. Certification of compliance will be provided by the N.C. Department of Environment and Natural Resources, Division of Water Quality. Contact the Washington Regional Office for information on permit requirements and certification.

Section 405 - Utilities

405.1 - In General

All lots to be subdivided must be served by on-site wells and septic tank systems or approved sanitary sewer and water facilities.

405.2 - Individual On-Site Wells and Septic Tank Systems

A) Wells shall be located as allowed by the Jones County Health Department.

B) Water supply and sewage facilities shall comply with applicable State and County Public Health laws and regulations.

405.3 - Public and Private Sanitary Sewer and Water Facilities

Upon submittal of a preliminary plat, plans and specifications shall be provided by the subdivider showing necessary sanitary sewer lines, water mains and items accessory to each that lie wholly within the rights-of-way in the subdivision. After approval of the preliminary plat and these plans and specifications by the Board of County Commissioners and applicable agencies, installation of the improvements by the subdivider can begin. The Subdivision Administrator or his agent shall act as inspector to see that all the proper plans and specifications are faithfully carried out.

The use of a private water or sewer system approved by the Jones County Health Department and other authorizing agencies will be permitted. The total cost of any sanitary sewer and water distribution improvements and accessories is to be borne by the subdivider.

405.4 - Easements

The subdivider shall convey easements to the County or appropriate utility company for both underground and overhead utility installation where needed. Easements shall be a minimum of twenty (20) feet wide, or as required by utility companies, and normally centered along rear or side lot lines. Wider easements may be required if the topography along the proposed right-of-way is such that maintenance equipment cannot reasonably operate within the minimum twenty (20) feet wide easement.

Section 406 - Drainage and Sedimentation Control

406.1 - Easements

Where a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width or construction, or both, as will be adequate for the purpose of managing storm water runoff in a manner following the natural contours of the watercourse that will safeguard the health and property of the citizens of Jones County. Maintenance responsibility for drainage shall be included in the covenants of the subdivision.

406.2 - Sedimentation and Erosion Control

Persons engaged in land-disturbing activities shall take all reasonable measures to protect all public and private property from damage by such activities. When any land-disturbing activity is to be undertaken on a tract where more than one acre is to be uncovered, a Sedimentation and Erosion Control Plan is required.

Section 407 - Permanent Reference Points

407.1 - In General

Prior to the approval of the final plat, permanent reference points shall have been established in accordance with the requirements set forth in this Section.

407.2 – Monuments

Permanent concrete monuments four (4) inches in diameter or square, three (3) feet long, shall be placed at not less than two (2) corners of the subdivision provided that additional monuments shall be placed where necessary so that no point within the subdivision lies more than five hundred (500) feet from a monument. Two or more of the required monuments shall be designated as control corners. The top of each monument shall have an indented cross, metal pin, or metal plate to identify properly the location of the point. All monuments shall be shown on the final plat.

A) Property Corner Tie: At least one corner of the property surveyed shall be designated by course and distance (tie) from a readily discernible reference marker. If a corner is within two thousand feet (2,000') of a U.S. Coast and Geodetic Station or N.C. Grid System coordinated monument, then this corner shall be accurately tied to this Station or monument by computed X and Y coordinates which shall appear on the Map with a statement identifying this station or monument or to an accuracy of 1:15000. When such a Monument or Station is not available, the tie shall be made to some pertinent and readily recognizable landmark or identifiable point, physical object or structure.

B) Markers: All lot corners, all points where the street lines intersect the exterior boundaries of the subdivision, all angle points and points of curve in each street shall be marked with iron pipe not less than two (2) inches in diameter and forty (40) inches long, driven so as to be 1-inch above the finished grade.

407.3 - Flood Elevation Monuments

Where a subdivision contains more than five (5) lots or more than five (5) acres, there shall be located in the subdivision at least one (1) Flood Elevation Marker established by a Registered Land Surveyor, if existing vertical control is within one thousand five hundred (1,500) feet of the site.

Section 408 - Miscellaneous Standards

408.1 - Fire Hydrants

When a subdivision is to be served by a central water system, fire hydrants are to be installed every 1,000 feet apart, or no further than 500 feet from the furthest point of any lot within the subdivision, where water line size will permit. In areas where line size of six (6) inches or more is not available, then hydrants are not required. If the subdivider is installing six (6) inch lines, or better, then hydrants are to be installed every 1,000 feet apart, or no more than five hundred (500) feet from the furthest point of any lot within the subdivision.

If a publicly owned water line, 6 inches or greater in size, is proposed to intersect with a water line serving the proposed subdivision, then the developer shall install a fire hydrant at, or near, the point of intersection.

All fire hydrants shall be located so as to be easily accessible to fire trucks on a public street. Where there is no central water system but there is a water source available, dry hydrants shall be installed as determined by the Fire Chief in charge of serving the Subdivision.

ARTICLE V

DEFINITIONS

Section 501 - Subdivision

For the purposes of this Ordinance, "subdivision" means all divisions of a tract or parcel of land into five (5) or more lots, building sites, or other divisions for the purpose of sale or building development, whether immediate or future, and shall include all divisions of land involving the dedication of a new street or a change in existing streets. However, the following shall not be included within this definition nor be subject to the regulations prescribed by this Ordinance:

- A) The combination or re-combination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the County as shown by the regulations prescribed by this Ordinance.
- B) The division of land into parcels greater than (5) five acres where no street right-of-way dedication is involved.
- C) The public acquisition by purchase of strips of land for the widening or opening of streets.
- D) The division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved, and where the resultant lots are equal to or exceed the standards of the County, as shown by the subdivision regulations contained in this Ordinance.

Section 502 - Word Interpretation

For the purposes of this Ordinance, certain words shall be interpreted as follows:

- A) The word "May" is permissive.
- B) The words "Shall" and "Will" are mandatory.
- C) The present tense includes the future tense and the future tense includes the present tense.
- D) The singular includes the plural and plural includes the singular.

Section 503 - General

For the purpose of this Ordinance, certain terms and words used herein shall be used, interpreted and defined as follows:

Authorized Agent - One who is acting as representative for, or by the authority of, the subdivider.

Block - A piece of land bounded on one or more sides by streets or roads.

Board of Commissioners - The Board of County Commissioners; County Board of Commissioners; the governing body of the County of Greene, North Carolina.

Buffer Strip - An area of land that shall not be developed, required to separate land uses deemed incompatible. Front yard set backs and side yards are examples of buffers. In some cases additional screening, landscaped or otherwise may be required.

Building Setback Line - A line parallel to the front property line which establishes the minimum allowable distance between nearest portions of any buildings, steps, eaves, gutters, and similar fixtures, and the street right-of-way line when measured perpendicularly thereto.

Collector Street - A street which serves the connecting street system between local residential streets and the thoroughfare system.

Corner Lot - A lot which occupies the interior angle at the intersection of two (2) street lines. The street line forming the least frontage shall be deemed the front of the lot except where the two (2) street lines are equal, in which case, the owner shall be required to specify which is the front when requesting a building permit.

Cul-de-sac - A short street having one end open to traffic and the other end being permanently terminated and a vehicular turn-around provided.

Dedication - A gift, by the owner, or a right to use of land for a specified purpose or purposes. Because a transfer of property rights is entailed, dedication must be made by written instrument and is completed with an acceptance.

Disclosure Statement - A statement prepared and signed by the subdivider and the buyer of the subject real estate, fully and completely disclosing the status (whether public or private) of the street upon which the lot fronts. The statement shall also include an explanation of the consequences and responsibility as to maintenance and construction of proposed roadways.

Double Frontage Lot - A continuous (through) lot which is accessible from both streets upon which it fronts.

Easement - A grant by the property owner for use by the public or others of a strip of land for specified purposes.

Flag Lot - A lot which has a reduced amount of frontage on a street and relies on a panhandle-shaped corridor for access to the bulk of the lot.

Interior Lot - A lot other than a corner lot with only one frontage on a street.

Lot - A portion of a subdivision or any other parcel of land intended as a unit for transfer of ownership or for development, or both. The word "lot" includes the word "parcel" or "plot".

Lot of Record - A lot which is a part of a subdivision, a plat of which has been recorded in the Office of the Register of Deeds of Jones County prior to the adoption of this Ordinance, or a lot described by metes and bounds, the description of which has been so recorded prior to the adoption of this Ordinance.

Official Maps or Plan (Land Development Plan or Comprehensive Plan) - Any maps or plans officially adopted by the County Board of Commissioners as a guide for the development of the County.

Open Space - An area (land and/or water) generally lacking in man-made structures and reserved for enjoyment in its unaltered state.

Planned Unit Development - A land development project comprehensively planned as an entity via a unitary site plan which permits flexibility in building siting, mixtures of building types and land uses, recreational areas and usable open spaces and the preservation of significant natural features. Included within this definition shall be planned unit residential developments and planned unit non-residential developments or combination thereof.

Planning Board - The Planning Board of Jones County.

Plat - A map or plan delineating a tract or parcel of land to be subdivided, land to be dedicated for public use, or right-of-way for street or utility purposes. The word plat shall include the terms "map", "plot", and "plan".

Plat, Final - A map of land subdivision prepared in a form suitable for filing of record with necessary affidavits, dedications, acceptances, and with complete bearings and dimensions of all lines defining lots and blocks, streets, public areas, and other dimensions of land, as prescribed by this Ordinance.

Plat, Preliminary - A map of proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land, as prescribed by this Ordinance.

Private Driveway - A roadway serving two (2) or fewer lots, building sites or other division of land and not intended to be public ingress or egress.

Public Sewage Disposal System - A system serving two (2) or more dwelling units and approved by the Jones County Health Department and the North Carolina Department of Environment, Health, and Natural Resources.

Recreation Area or Park - An area of land or combination of land and water resources that is developed for active and/or passive recreation pursuits with various man-made features that accommodate such activities.

Reservation - A reservation of land not involving the transfer of property rights. It simply constitutes an obligation to keep property free from development for a stated period of time.

Reversed Frontage Lot - A lot on which the frontage is at right angles or approximately right angles (interior angles less than one hundred thirty-five (135) degrees) to the general pattern in the area. A reversed frontage lot may also be a corner lot, an interior lot or a through lot.

Single-Tier Lot - A lot which backs upon a limited access highway, a railroad, a physical barrier, or another type of land use and to which access from the rear is usually prohibited.

Streets - A right-of-way dedicated to the public for vehicular traffic.

Freeway, Expressway, or Parkway - Divided multi-lane roadway designed to carry large volumes of traffic at relatively high speeds. A freeway providing for continuous flow of vehicles with no direct access to abutting property or streets and with access to selected crossroads provided via connecting ramps. An expressway is a divided highway with full or partial control of access and generally with grade separations at major intersections. A parkway is a highway for non-commercial traffic, with full or partial control of access, and usually located within a park or a ribbon of park-like development.

Frontage Road - A street that is parallel to a fully or partially access controlled street which functions to provide controlled access to adjacent land.

Private Street - An undedicated private right-of-way which affords access to abutting properties and requires a subdivision streets disclosure statement in accordance with G.S. 136-102.6.

Major Thoroughfares - Major thoroughfares consist of interstate, other freeway and expressway links, and major streets that provide for the expeditious movement of volumes of traffic within and through urban areas.

Local Street - A local street is any link not part of a higher-order urban system which serves primarily to provide direct access to abutting land and access to higher systems.

Structure - Anything constructed or erected, the use of which requires more or less permanent location on the ground of which is attached to something having more or less permanent location on the ground.

Subdivider - Any person, firm, or corporation who subdivides or develops any land deemed to be a subdivision as defined in this Ordinance.

Subdivision Administrator - That person appointed by the County Commissioners to administer the provisions of this Ordinance.

Through Lot or a "Double Frontage Lot" - A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.